

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS G. THOMPSON,

Defendant.

:
:
:
:
:
:
:
:
:
:

Case No. 2:15-cr-081

Chief Judge Algenon L. Marbley

ORDER

This matter is before the Court following a compliance hearing held on December 9, 2022, on Defendant's ongoing contempt. (ECF No. 256).

The issue of Defendant's securement of counsel has been a persistent one throughout the course of this litigation. Defendant has been represented at one point or another by nine different attorneys in this case. Aside from the limited representation provided by court-appointed counsel regarding his compassionate release motion (ECF No. 205), Defendant has not been represented by counsel since February 14, 2020 (ECF No. 179). On that date, his last known counsel, Mr. Keith E. Golden¹, withdrew from this matter. For nearly three years hence, this Court entertained Defendant's illusory assurances that he has been making progress in securing counsel, even placing various motions in abeyance along the way pending retainer. (*See* ECF Nos. 179, 220, 222, 229, 233, 240, 245, 252, 256). As of late, this Court has been holding Interested Party John Pidcock's Motion to Inspect and Take Custody of Property Seized from Criminal Defendant (ECF

¹ Attorney Golden is the Managing Partner for Golden & Meizlish Co., LPA, located at 923 East Broad St., Columbus, Ohio 43205.

No. 236) in abeyance in light of Defendant's assertions that he is seeking counsel to enable him meaningfully to respond.

During the December 9, 2022 compliance hearing, this Court once again inquired into the status of Defendant's attempts to secure new counsel. In response, Defendant represented that he had again retained the services of Attorney Golden. This Court, noting Attorney Golden's absence at the hearing, called a recess to confirm Defendant's representation. Attorney Golden informed this Court via telephone that he had not been retained. After requesting and hearing Defendant's proffered explanation, this Court informed Defendant that he had engaged in contemptuous conduct for which he will be ordered to show cause.

This Court finds that a CJA appointment is appropriate under the circumstances. 18 U.S.C. § 3006A(a)(1)(H) ("Representation shall be provided for any financially eligible person who . . . is entitled to appointment of counsel under the [S]ixth [A]mendment to the Constitution."). Pursuant to the Criminal Justice Act Plan for the United States District Court for the Southern District of Ohio², representation shall be provided for any financially eligible person who is charged with civil or criminal contempt and who faces the loss of liberty. § IV(A)(1)(n); *see Goldberg v. Maloney*, 692 F.3d 534, 539 (6th Cir. 2012) (explaining that the Sixth Amendment right to counsel extends to criminal contempt proceedings).

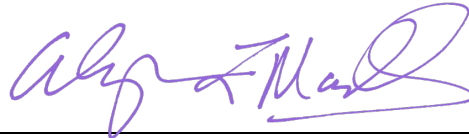
This Court will thus make a rotational appointment from the CJA Panel. *See* CJA Plan, § VI(F)(1) ("Appointments from the CJA Panel list should be made on a rotational basis, subject to the Court's discretion to make exceptions due to the nature and complexity of the case, an attorney's experience, and geographical considerations."). Attorney Golden is a member of the CJA Panel. Given that Mr. Thompson's false statements contained allegations concerning

² [OHS CJA Plan Amendment FINAL Rev. 6.26.2020.pdf \(uscourts.gov\)](#).

Attorney Golden, however, Attorney Golden will not be selected. Counsel will be appointed for the limited purpose of representing Defendant in his upcoming criminal contempt hearing.

Accordingly, and as this Court orally ruled, Defendant is **ORDERED** to appear on January 13, 2023, at 8:30 a.m. before the Honorable Chief Judge Algenon L. Marbley, United States District Court, 85 Marconi Boulevard, Columbus, Ohio, Court Room 1, Room 331. At that time, Defendant must **SHOW CAUSE** why he should not be held in contempt of Court for misrepresenting the status of his securement of counsel. An attorney from the CJA Panel will be hereby **APPOINTED** to represent Defendant in this proceeding.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: December 20, 2022